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A. GOMEZ

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AWILDA GOMEZ, residing at 1

3

River Plaza, Apt. 1E,

4

Tarrytown, New York 10591,

5

having been duly sworn by

6

Notary Public, Nancy P. Tendy,

7

testified as follows:

8

EXAMINATION BY MS. SHERVEN:

9 Q. Good morning, Mrs. Gomez. As
10 you remember, my name is Jennifer Sherven.
11 We were here last on March 30, 2007, when we
12 began your 50-h Hearing.

13 Again, I'm an attorney with
14 Miranda, Sokoloff, Sambursky, Sloane
15 Verveniotis, and we represent the Sleepy
16 Hollow Police Department and the Village of
17 Sleepy Hollow in this claim that you and
18 your husband have filed.

19 Is your address still 1 River
20 Plaza, Apartment 4E in Tarrytown, New York?

21 A. Yes.

22 Q. Is there any reason why you
23 would be unable to testify fairly and
24 accurately here, today?

25 A. What reason?

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2 Q. Is there any reason why you
3 cannot testify fairly and accurately today?

4 A. No.

5 Q. The same general rules apply.
6 If you do not understand my question at
7 anytime, let me know immediately, and I will
8 rephrase the question so that you do
9 understand, okay.

10 A. Okay.

11 Q. Now, you had testified last
12 time that when on October 17, 2006, when you
13 arrived at Sleepy Hollow Police Department
14 you saw Detective Quinoy and Police Officer
15 Gasker outside of the police station,
16 correct?

17 A. Yes.

18 Q. At that time, did you know who
19 Police Officer Gasker was? When you saw
20 him, did you know him?

21 A. No.

22 Q. You learned his name then at a
23 later time?

24 A. No. I know him at the moment
25 it happened the incident. I don't know

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2 nobody there. I don't know Gasker, no.

3 Q. So, sometime after this
4 incident, you learned who the other police
5 officer with Detective Quinoy was?

6 A. No. What you say?

7 Q. Okay. At the time you saw
8 Detective Quinoy with another police officer
9 in front of the police station, is it fair
10 to say that you did not know who the other
11 police officer was?

12 A. No. I don't know who at the
13 time.

14 Q. So, at some point later you
15 learned that his name was Officer Gasker?

16 A. In the night I know the name.

17 Q. Okay. Do you remember who told
18 you what that officer's name was?

19 A. Nobody. I listen the name
20 because I went in the Police Department when
21 everything finished.

22 Q. From overhearing something, you
23 learned what his name was?

24 A. Yeah. He was there in front of
25 me and inside with the Police Department.

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2 Q. What did you specifically hear
3 or see that you learned his name?

4 A. When you're talking about
5 Gasker?

6 Q. Gasker?

7 A. Oh, I know the name because
8 they talking inside, call for the name. I
9 don't know really what they talk because my
10 English is not -- but they call Quinoy.
11 They call Gasker. Everybody was there. I
12 not saw Quinoy. I saw Gasker there at the
13 moment.

14 Q. You also had testified last
15 time that there was another police officer
16 that was involved, Officer Ebel. Do you
17 remember that testimony?

18 A. Yes.

19 Q. Did you know who Police Officer
20 Ebel was at that time?

21 A. No.

22 Q. So, at some other point later
23 in the evening you learned his name?

24 A. Yes.

25 Q. Just so that we can take

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everything down, wait until I finish my
question and then answer, okay.

4

You had testified the last time
that we were here that you went into the
precinct in order to request help, correct?

7

A. Yes.

8

Q. How many times did you go into
the precinct?

10

A. Exactly, I say around more than
two times I remember clear that I went
there. But more, I don't know. I think I
going because I'm very nervous, I'm going
back and forth, and remember, remember, I
know that I went two times inside.

16

Q. So, it's fair to say that you
know that you went in two times?

18

A. Uh-hum.

19

Q. Is that a, yes?

20

A. Yes.

21

Q. But you're not sure whether you
went in more than twice?

23

A. Yes.

24

Q. The first time that you went
inside, did you speak to any police officer?

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2 A. I go inside, and I told at the
3 moment was there -- I know the name --
4 what's the -- he use the white shirt that
5 say --

6 MS. VOLPER: If you don't
7 remember his name, it's okay. She's
8 just asking if you spoke to any
9 police officer the first time that
10 you went in the police precinct, if
11 you remember his name.

12 A. I go inside, and I say, I need
13 help. And he look at me, like, he don't
14 know what I say. He look like at me like a
15 piece of shit. That's my expression that
16 I'm feeling at the moment. He look at me at
17 the people when they no have a paper. They
18 don't speak English. They don't care about
19 us. Very discrimination I feel in the
20 moment, when I go there and ask for help.

21 And he look at me, and he not
22 say one word about nothing. He only look at
23 me, ignoring me.

24 MS. SHERVEN: I move to strike
25 the portion that's nonresponsive.

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2 MS. VOLPER: Object to that

3 motion to strike just because

4 Counselor did ask her if she spoke to
5 any police officer and what she said,
6 but go ahead.

7 Q. When you went into the
8 precinct, were you speaking in English or
9 Spanish?

10 A. In English. I remember the
11 name now, Hayes was the Gabrielle or.

12 Q. Okay.

13 A. I know spelling H-A-Y-E-S.

14 Q. Hayes?

15 A. Yes.

16 Q. Just so that we're clear, when
17 you first walked into the precinct, there
18 was a police officer at the front desk to
19 the precinct?

20 A. He's in the front desk.

21 Q. And you believe that that was
22 Police Officer Hayes at the front desk?

23 A. Yes.

24 Q. Now, it's my understanding from
25 I believe that there may be two police

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2 officers with the last name Hayes. Do you
3 know if this is the father?

4 A. The father, the father. I
5 remember very clear.

6 Q. Did you know this police
7 officer before that night?

8 A. I saw in the town, but I don't
9 have any relation because I living for a
10 long time, and he working for a long time,
11 too.

12 Q. Had you ever spoken with this
13 police officer before that night?

14 A. No.

15 Q. What did you specifically say
16 when you walked into the precinct?

17 A. I went there, and I say, I need
18 help. They kill Mario. Come on. Somebody
19 have to go out. I want help. I want to see
20 somebody come and separate, because I can't
21 do anything at the time.

22 Q. What was your tone of voice?

23 A. Scary. When I see the
24 situation outside, Mario in handcuff in the
25 floor and he continue put the electricity

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and hit Mario, I feel I no have nothing to
do anything. I tried to looking for
somebody help me. I can't do anything. I
not touch the policeman. What I have to do.
I not supposed to touch and do anything with
the policeman. What I have to do. I think
the best thing go inside and ask for help.

9

10

11

MS. VOLPER: So, is it your
testimony that your tone of voice was
scared.

12

13

14

A. Scary, very nervous about the
situation that I see outside. He only look
at me and not say one word. He not move.
Only look at me and ignoring me.

15

16

17

Q. The police officer did not say
anything to you?

18

A. Nothing.

19

Q. What did you do then?

20

A. What?

21

Q. What did you do?

22

A. Go out and come back and
scream, help, help, in the middle of the
street and look at what happened.

23

24

25

Q. Approximately, how much time

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2 passed from when you went outside until you
3 went back inside the second time?

4 A. A second, because I want to see
5 what happened with my husband and at the
6 same time I'm looking for help.

7 Q. Is it your testimony then that
8 you went back inside within seconds of the
9 first time you were inside the precinct?

10 A. Yes, because I'm running. I'm
11 not walking. I'm running and jumping. Ask
12 for help and try to go back and scream in
13 the middle of the street, looking for
14 somebody to help me. Nobody move.

15 Q. Were there any police officers
16 other than Detective Quinoy and Police
17 Officer Gasker outside the precinct?

18 A. Gasker and Ebel is outside,
19 too.

20 Q. Other than those three police
21 officers, were there any other police
22 officers in the area?

23 A. No.

24 Q. Did you see anyone else
25 outside, whether they were civilians or

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firefighters or anyone else?

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A. At the moment in the night I
not really recognize nobody, but I know I
have a lot of people outside. And I feeling
the firemen was there, too. Because
everybody come out when I scream like a
crazy for help.

4

Q. Approximately, how many other
people were outside?

5

A. I don't know. I put attention
and focus all my time on everything what
happened with my husband, and nobody help
me. That's only what I remember the
incident.

6

Q. Can you approximate at all for
me how many other people were outside?

7

A. I don't know. I don't know.

8

Q. Is it more than five people?

9

A. I don't know. I no have an
idea.

10

Q. You testified, though, that you
believe there were firemen there?

11

A. I think, yes, because too many
people, people there but I don't know.

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Remember the firehouse is next to the police
department, and all the time they're going
out and going in and going out.

5

Q. Did you recognize any
particular firemen that were outside?

7

A. I not regular recognize.

8

Maybe, I saw now, maybe I recognize
somebody. But I don't know who working in
the fire department.

10

Q. The group of people that you
saw outside, approximately how close were
they standing to where your husband and the
other police officers were?

12

A. Around. Around.

14

Q. Can you approximate at all
whether they were standing five feet, ten
feet, however you can approximate how close
this group of people was?

16

A. I remember people next to me
not too far, two feet, three feet, and I
other people, I don't know. I don't know.
I know I have a lot of people, people there,
but I don't know how many. I don't know.

24

Q. Do you know the names of any of

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2 the people that were there?

3 A. No.

4 Q. At any point in time whether
5 it's during this incident or after, did
6 anyone tell you that they were there and saw
7 what happened?

8 A. I no have a connection with
9 nobody there, because I feel so bad. I have
10 a lot of pain, and I'm very nervous. I
11 finished to see the abuse doing with my
12 husband.

13 MS. SHERVEN: Move to strike as
14 nonresponsive.

15 Q. Listen closely to my question,
16 okay: At any time did you learn the
17 identity of any of those people that were
18 outside? Even after that incident, did
19 anyone tell you, I was there, I saw what
20 happened?

21 A. I not remember. I not remember
22 at this time. Maybe, in the future I saw
23 somebody and told me maybe, but in this
24 moment, I not remember at this time.

25 Q. The group of people that you

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2 saw outside that were standing close to you
3 and to your husband and the police officers,
4 what were they doing, if anything?

5 A. Only watch. All the people I
6 feeling was in shock that they see -- when I
7 move to this country, I feeling the police
8 is people work for protect me. No abuse me.
9 And I think they feeling the same that I'm
10 feeling at the moment, because no reason
11 that they do that that they do it with
12 Mario.

13 MS. SHERVEN: I'm going to move
14 to strike as nonresponsive, the
15 portion that's nonresponsive.

16 Q. When you went back inside the
17 precinct the second time, was Officer Hayes
18 still at the front desk?

19 A. Yes.

20 Q. Were there any other police
21 officers present?

22 A. I not remember. I remember
23 because I look at her face eyes to eyes the
24 twice time I was there. I not remember who
25 around, because I take a second. He not